

REMARKS

I. Status of Application

Claims 1-7 are all the claims pending in the application. Claims 1-7 presently stand rejected.

The present Response addresses each point of objection and rejection raised by the Examiner. Favorable reconsideration is respectfully requested.

II. Formalities

Applicant thanks the Examiner for acknowledging Applicant's claim to foreign priority and for indicating receipt of the certified copy of the Priority Document.

Applicant thanks the Examiner for considering the references cited with the Information Disclosure Statements filed on January 22, 2004 and April 24, 2006, respectively.

However, the Examiner did not indicate whether the Formal Drawings filed on January 22, 2004 are accepted. Applicant respectfully requests that the Examiner acknowledge and approve the aforementioned Formal Drawings.

III. Claim Rejections Under 35 U.S.C. § 103

A. Independent Claim 1

Claims 1-3 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 5,912,649 to Hattori et al. (hereinafter "Hattori") in view of U.S. Patent No. 7,006,171 to Kodon et al. (hereinafter "Kodon"). Applicant respectfully traverses these rejections for *at least* the reasons set forth below.

In order for the Examiner to maintain a rejection under 35 U.S.C. § 103, the cited references must teach or suggest all of the recitations of claims 1-3. Applicant respectfully

submits that neither Hattori, Kodan, nor any combination thereof, teaches or suggests all of the recitations of claims 1-3.

For example, claim 1 recites (among other things):

...wherein said transmissive light-emitting display panel includes a plurality of light-emitting portions arranged in two dimensions and a plurality of bus lines each of which is connected to and overlapping with the light-emitting portions so that the light-emitting portions are classified into plural linear groups, and

...wherein each of the plurality of bus lines has portions overlapping with said light-emitting portion, each of the portions having an area equal to or smaller than 5% of an area of each of the light-emitting portions.

The Examiner acknowledges that Hattori fails to teach or suggest this feature. Applicant agrees with the Examiner that Hattori fails to teach or suggest that each of a plurality of bus lines has portions overlapping with said light-emitting portion, each of the portions having an area equal to or smaller than 5% of an area of each of the light-emitting portions, as claimed. Indeed, Hattori is completely silent regarding the alignment of the referenced patterned conductors in the second EL unit and the first EL unit.

Nevertheless, the Examiner applies the cited Kodan reference, alleging that col. 1, lines 23-31 of Kodan teach an aperture ratio of 5% and that this teaching corresponds to the feature of each of the light-emitting portions having an area equal to or smaller than 5% of an area of each of the light-emitting portions, as claimed. Applicant respectfully disagrees with the grounds of rejection.

As an initial matter, Applicant notes that Kodon is merely directed to a thin film transistor liquid crystal display device, which is not a three-dimensional image display device of the self-emission type, such as an EL display. Therefore, the teachings of Kodon as a whole are completely unrelated to the claimed invention.

Further, the portion of Kodon relied upon by the Examiner states that “[c]onsidering the aperture ratio and other factors, only 10% or less of the light emitted by the backlight is actually used; the ratio drops to 5% or even further under normal conditions.” However, Kodon’s teaching that the aperture ratio therein drops to 5% is entirely irrelevant to the area ratio, as claimed (i.e., the feature of each of the light-emitting portions having an area equal to or smaller than 5% of an area of each of the light-emitting portions).

In contrast to the recitations of claim 1, one of ordinary skill in the art of thin film transistor liquid crystal displays would readily discern that the aperture ratio of a thin film transistor liquid crystal display is defined as a ratio of the area in which the display actually occurs to the entire area of the LCD panel.

In most cases, a thin film transistor liquid crystal display has a storage capacitor connected to the drain electrode of the thin film transistor. Such a storage capacitor is typically constructed by an opaque film. Therefore, the area occupied by the storage capacitor in a light-transmitting type liquid crystal display is not used for display. Additionally, metal signal lines are typically formed of a non-transparent material. Thus, one way to increase the aperture ratio for such thin film transistor liquid crystal displays is to reduce the area(s) occupied by the storage capacitor and/or the metal signal lines.

In sharp contrast to the teachings of Kodan, claim 1 recites that each of a plurality of bus lines has portions overlapping with said light-emitting portion, each of the portions having an area equal to or smaller than 5% of an area of each of the light-emitting portions. In other words, as explained on page 7 of the present specification, the total area of the bus line is equal to or less than 5% of that of the light-emitting portion. Further, as explained on page 10 of the present specification, with an areal ratio of 2.5% or 5%, the moiré caused by interference of two stripe groups images was not observed.

Since Kodan fails to teach, or even remotely suggest, that each of a plurality of bus lines has portions overlapping with said light-emitting portion, each of the portions having an area equal to or smaller than 5% of an area of each of the light-emitting portions, as claimed, claim 1 is patentable over Kodan for *at least* these reasons.

Additionally, Applicant submits that there would not have been any motivation for a skilled artisan to combine the disparate teachings of Hattori and Kodan as proposed. The grounds of rejection summarily allege that it would have been obvious to modify the teachings of Hattori with those of Kodan in order to increase efficiency of light. Applicant disagrees.

As already discussed above, Kodan is directed to a thin film transistor liquid crystal display device. And, there would have been no motivation for a skilled artisan to combine a liquid crystal display electrode structure with completely unrelated plural EL panels for a three-dimensional image display device. Here, the grounds of rejection fail because they have not

identified any motivation, suggestion or teaching of the desirability of making the specific combination that was made by the applicant.¹

Thus, Applicant submits that claim 1 is patentable over Hattori, Kodon, and any combination thereof, for *at least* these additional reasons. Further, the dependent claims 2-3 are patentable *at least* by virtue of their dependency on claim 1. As such, Applicant respectfully requests that the Examiner withdraw these rejections.

B. Dependent Claims 4-7

Claims 4 and 5 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hattori in view of Kodon, and further in view of U.S. Patent No. 6,429,599 to Yokoyama (hereinafter “Yokoyama”). Finally, claims 6 and 7 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hattori, in view of Kodon, in view of Yokoyama, and further in view of JP 11-007893 to Furukawa et al. (hereinafter “Furukawa”). Applicant traverses all of these rejections for *at least* the reasons set forth below.

Claims 4-7 incorporate all the novel and non-obvious recitations of their base claim 1. As already discussed above, neither Hattori, Kodon, nor any combination thereof, teaches or suggests all the recitations of claim 1. Moreover, neither Yokoyama nor Furukawa remedy the deficient teachings of Hattori and Kodon. Therefore, claims 4-7 are patentable over the cited references *at least* by virtue of their dependency.

In addition, there would have been no motivation to combine the disparate teachings of Yokoyama with those of Hattori and Kodon. Indeed, Yokoyama fails to teach or suggest any

¹ See *In re Kotzab*, 55 USPQ2d at 1316 (citing *In re Dance*, 160 F.3d 1339, 1343, 48 USPQ2d 1635, 1637 (Fed. Cir. 1998); and *In re Gordon*, 733 F.2d 900, 902, 221 USPQ 1125, 1127 (Fed. Cir. 1984)).

moiré problem like that discussed in the present specification. Further, Yokoyama does not provide any teaching whatsoever regarding a three-dimensional image display device that can make it hard for an observer to recognize the moiré. In sharp contrast to the claimed invention, which is directed to a three-dimensional image display device for preventing moiré, Yokoyama's aim is to provide a color display device suitable for a highly integrated configuration.

In further contrast to the field of the claimed invention, Yokoyama's device is merely an active type color EL display device having only one EL panel in which each EL element is driven using a thin film transistor. However, there is no teaching or suggestion in Yokoyama regarding any use of plural EL panels. As such, there would have been no motivation for a skilled artisan to combine the teachings of Yokoyama with those of Hattori and Kodon so as to arrive at the claimed invention.

Likewise, there would have been no motivation for a skilled artisan to combine the teachings of Furukawa with those of Hattori, Kodon and Yokoyama, as purported by the grounds of rejection. Furukawa merely teaches a gas discharge display panel. However, Furukawa's plasma display panel is not in any way related to a three-dimensional image display device of the self-emission type, such as an EL display. Accordingly, there would have been no motivation for one of ordinary skill to look toward the teachings of Furukawa to arrive at the claimed invention for *at least* these reasons.

Since there would not have been any motivation to combine the disparate teachings of Yokoyama and Furukawa with those of Hattori and Kodon, Applicant submits that claims 4-7 are patentable over the cited references for *at least* these additional reasons and respectfully requests that the Examiner withdraw these rejections.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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